

# WHITE TOWNSHIP COMMITTEE

# MINUTES OF MEETING APRIL 13, 2022

## CALL TO ORDER

Mayor Herb called the meeting to order at 5:30 p.m. and stated ‘Adequate Notice of this meeting of April 13, 2022 has been given in accordance with the Open Public Meetings Act by forwarding a notice of the date, time, and location of the meeting to the Star-Ledger; and by posting a copy thereof on the bulletin board in the Municipal Building and the township website. Formal action may be taken at this meeting. Public participation is encouraged. This agenda is subject to last minute additions and deletions by the White Township Committee’.

## FLAG SALUTE

The Mayor asked everyone to stand for the flag salute.

## ROLL CALL

Present: Mayor Herb, Committeewoman Skoog, Committeeman Hyndman, Deputy Clerk Brielle Whitmore and Attorney Fina. Clerk Kathleen Reinalda was absent.

On motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote, the following Resolution was adopted:

### RESOLUTION - EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, as follows:

1. The public shall be excluded from discussion, and action upon the hereinafter specified subject matter, April 13, 2022, 5:30 pm:

Litigation  
(JAINDL)

2. It is anticipated at this time, the above-stated subjects will be made public at such time when the matters discussed are no longer sensitive. Motion passed.

On motion by Mrs. Skoog, seconded by Dr. Hyndman, the meeting was re-opened to the public at 6:00 p.m. Motion passed. No action was taken in Executive Session.

## ORDINANCES – PUBLIC HEARING

**Ord. 2022-01:** Motion to open the Public Hearing made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Being no public comments, motion to close the Public Hearing made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Motion to adopt the following Ordinance made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Hyndman – yes, Skoog – yes, Herb – yes.

ORDINANCE 2022-01  
WHITE TOWNSHIP  
WARREN COUNTY, NEW JERSEY

### **ORDINANCE OF THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND CHAPTER 70 – ALCOHOLIC BEVERAGES FOR THE CODE OF THE TOWNSHIP OF WHITE**

**WHEREAS**, the Township Committee of White has examined the rules and regulations of the Alcoholic Beverages ordinance for the Township;

**WHEREAS**, the Township Committee has determined to amend Section 70-5, the permitted hours of operation for licensed entities, to be clearer and consistent, and

**WHEREAS**, the Township Committee has determined to amend Section 70-7, prohibitions, to make it clearer that all places where food or liquid refreshments are served are not permitted to serve alcohol unless such establishment has a liquor license approved by the Township, and

**WHEREAS**, the Township Committee has determined to amend Section 70-7 to add Section 70-7 Revocation of Licenses to set forth the basis for the Township to revoke licenses where holders of licenses commit violations by ordinance or statute, and

**NOW, THEREFORE, BE IT ORDAINED** by the Committee of the Township of White, County of Warren, State of New Jersey that Chapter 70 the Code of the Township of White shall be amended as follows:

#### Section 1:

#### **§ 70-5**

**Delete entire text and replace it with the following:**

**Licensees are permitted to sell and/or serve alcoholic beverages on licensed premises everyday between 6 a.m. to 12 p.m. and 12 p.m. to 2 a.m.**

#### **§ 70-7**

**Add the following language to the end of section A:**

**“ ... unless the establishment has a liquor license approved by the Township.**

## **§ 70-8**

**Add the following language as a new section:**

### **70-8. Revocation of Licenses**

- A. Any license issued under this Chapter may be suspended or revoked for violation of any of the provisions in this Chapter or any provisions of any applicable statute or any of the rules and regulations of the State Director or Alcohol Beverage Control.**
- B. The procedure for suspension or revocation shall be at least a five day notice to the licensee that the Township will conduct a public hearing at which time the licensee will have a reasonable opportunity to state its case at such hearing.**
- C. Suspension or revocation of a license shall be in addition to any other penalty which may be imposed for a violation of this Chapter.**

#### Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

#### Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

#### Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

## **ENGINEERING UPDATE**

Paul Sterbenz reported on the following:

- Affordable Housing – The Fair Share Housing Center ruled that the township cannot use the excess units that Windtryst Apartments provides the township due to the age of the facility. Therefore, the township needs to legally provide 19 units at a cost of \$10,000 per unit by 2025. This will force the township to establish a Development Fee ordinance. In the meantime, further research will be done on Windtryst Apartments to hopefully have those units included in the township’s affordable housing plan.

- Skoog Holdings Developers Agreement – required as per the Board of Adjustment approving resolution.
- 5 Acres property review – the site is a pre-existing nonconforming use. There are no records documenting previous activities on the site. Mr. Sterbenz met with the owner and clean up has gradually progressed. Owner was present to take questions.
- Upper Sarepta Rd. / Mutton Hill Project – Milling and paving beginning April 14<sup>th</sup>.
- Settlers Ridge Project – A base and alternate bids were received from 4 different contractors. The base bid included only the section known as Somerset Drive. The alternate bid included sections Somerset and Dogwood. Revax Contracting from Flemington NJ was the low bid with a base bid of \$302,000 and an alternate bid of \$548,000.00. Motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to award the bid as per the CFO certification of availability of funds. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried.
- Becrett Sewer Agreement – the Becrett development has approvals for sewer service. The township has debated whether to enter into an agreement with Becrett to construct the project so as to allow for future sewerage of Route 46. The force main the township would need to construct would cost approximately \$481,000.00. The township could also opt to construct just a capped pipe for approximately \$165,000.00 or take no action at all at this time. The township would still have an easement in the future if it opted to wait on any construction at all. No action was taken.

## **RESOLUTIONS**

**Res. 2022-25:** Motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to approve the following resolution. Hyndman – yes, Skoog – yes, Herb – yes. Resolution adopted.

### **RESOLUTION 2022-25**

#### **A RESOLUTION TO AMEND RESOLUTION 2022-19**

#### **APPROVAL TO EXECUTE AND ACCEPT A GRANT AGREEMENT WITH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (“NJEDA”) AS PART OF THE 21<sup>ST</sup> CENTURY REDEVELOPMENT CHALLENGE PROGRAM**

WHEREAS, the award is made for the express purpose to develop economic plans for the revitalization and repurposing of ‘distressed assets’ such as underutilized or abandoned shopping mall, office parks, plazas and other large commercial /retail facilities; and

WHEREAS, the grant amount is for fifty thousand dollars (\$50,000.00) with a cash match or in kind match of twenty percent (20%).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of White formally accepts and approves the grant agreement (attached).

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to sign the grant agreement on behalf of White Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approved execution of the grant agreement.

**Res. 2022-26:** Motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to approve the following resolution. Hyndman – yes, Skoog – yes, Herb – yes. Resolution adopted.

**RESOLUTION 2022-26  
PLACE TO PLACE TRANSFER**

WHEREAS, an application has been filed for a Place-to-Place Transfer of Plenary Retail Consumption License Number 2123-33-003-004, issued to Country Gentlemen Spirits LLC, T/A Jack’ Barn for premises heretofore located at 1487 State HWY 31, Oxford, NJ 07863;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the White Township Committee does hereby approve, effective April 13, 2022, the Place-to-Place Transfer of the aforesaid Plenary Retail Consumption license to Country Gentlement Spirits LLC, T/A Jack’s Barn, with an address of 1487 State HWY 31, Oxford, NJ 07863; and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to premises located 1487 State HWY 31, Oxford, NJ 07863, effective April 13, 2022.”

**Res. 2022-27:** Motion made by Dr. Hyndman, seconded by Mayor Herb with Mrs. Skoog recused to approve the following resolution. Hyndman – yes, Skoog – recused, Herb – yes. Resolution adopted.

**RESOLUTION 2022-27  
RESOLUTION AUTHORIZING WHITE TOWNSHIP TO ENTER INTO A  
DEVELOPER’S AGREEMENT WITH SKOOG HOLDINGS LLC IN RESPECT TO  
THE “SELF STORAGE FACILITY” PROJECT, BLOCK 54.01, LOT 2**

WHEREAS, Skoog Holdings LLC plans to develop property in White Township for a “Self Storage Facility” located at Block 54.01, Lot 2; and

**WHEREAS**, a condition of township land use board approvals of the development is the execution of a Developer's Agreement; and

**WHEREAS**, a Developer's Agreement has been drafted, negotiated and finalized and is now acceptable in form and substance,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of White that the mayor and clerk be and hereby are authorized to execute the attached Developer's Agreement.

### **OLD BUSINESS**

The committee continues to discuss possible auction of township owned parcels. Mrs. Skoog had additional questions for the assessor to be researched.

Mayor and Committee reviewed the content of the updated website. Further suggestions were proposed.

The draft development fee ordinance was tabled for further review.

Motion made by Dr. Hyndman, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to appoint Janice Lee as the township's representative to the Solid Waste Advisory Council. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried.

Dr. Hyndman recommended the creation of an Ad Hoc Committee for the review of the comcast cable franchise renewal process. The committee agreed. Dr. Hyndman will provide names for the next meeting.

Mayor and Committee debated the pros and cons of allowing BYOB in the township. No action was taken.

### **NEW BUSINESS**

The Board of Adjustment Annual Report was tabled for further review.

### **PUBLIC COMMENTS**

Mrs. Magnini, Woodsedge Court, asked the status of the micro surfacing proposal for her development. The committee explained that the budget process is still underway.

### **PRESENTATION OF VOUCHERS**

On motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote, the Committee approved the following list of bills:

| <u>Check Number</u> | <u>Payee</u>                         | <u>Amount</u> |
|---------------------|--------------------------------------|---------------|
| 17501               | Treasurer, State of NJ               | 54.00         |
| 17502               | Randy Bell                           | 74.00         |
| 17503               | Horizon Blue Cross Blue Shield       | 159.19        |
| 17504               | ARAE Network Solutions LLC           | 10,454.50     |
| 17505               | CenturyLink                          | 141.19        |
| 17506               | C&M Auto Parts                       | 245.25        |
| 17507               | Colliers Engineering & Design        | 3600.72       |
| 17508               | Comcast                              | 698.62        |
| 17509               | Drake's Landscaping LLC              | 2545.00       |
| 17510               | J.C. Ehrlich Co. Inc.                | 94.00         |
| 17511               | Elizabethtown Gas                    | 1598.14       |
| 17512               | Elizabethtown Gas                    | 536.10        |
| 17513               | Florio, Perrucci, Steinhardt & Fader | 2900.00       |
| 17514               | G. Smith Services                    | 1735.20       |
| 17515               | Gebhardt & Kiefer                    | 1396.65       |
| 17516               | GTM Turf Management                  | 4874.38       |
| 17517               | JCP&L                                | 2670.55       |
| 17518               | JPMONZO Municipal Consulting         | 50.00         |
| 17519               | Kathleen Reinalda                    | 107.80        |
| 17520               | Kyle MacManus Assc                   | 125.00        |
| 17521               | L.E. Ritter Lumber Co.               | 15.99         |
| 17522               | Mayberry Sales and Service           | 122.97        |
| 17523               | North East Parts Group               | 182.63        |
| 17524               | ReadyRefresh by Nestle               | 42.00         |
| 17525               | NJ American Water Co.                | 1190.48       |
| 17526               | NJ Advance Media                     | 485.74        |
| 17527               | Quill Corp.                          | 28.15         |
| 17528               | Rigo's General Hardware              | 32.74         |
| 17529               | Rossi Chrysler Dodge Jeep Ram        | 121.50        |
| 17530               | Sanico Inc.                          | 192.16        |
| 17531               | S&L Equipment Rental Inc.            | 2027.88       |
| 17532               | Staples Credit Plan                  | 81.25         |
| 17533               | Steven P. Gruenberg                  | 627.00        |
| 17534               | Treasurer, State of NJ               | 650.00        |
| 17535               | Treasurer, State of NJ               | 500.00        |
| 17536               | Verizon Wireless                     | 143.76        |
| 17537               | Vital Communications                 | 840.00        |
| 17538               | WEX Health Inc.                      | 50.00         |
| 17539               | White Twsp. Board of Education       | 642,315.00    |
| 17540               | Xerox Corp                           | 552.39        |
| 17541               | Randy Bell – petty cash              | 67.13         |

**TOTAL.....\$684,329.06**

**Developer's Escrow Account**

|      |                         |         |
|------|-------------------------|---------|
| 1402 | Colliers Engineering    | 82.50   |
| 1403 | Colliers Engineering    | 41.25   |
| 1404 | Colliers Engineering    | 165.00  |
| 1405 | Gebhardt & Kiefer       | 49.50   |
| 1406 | Gebhardt & Kiefer       | 49.50   |
| 1407 | Suburban Consulting     | 36.25   |
| 1408 | Sasowsky Earth Science  | 969.38  |
| 1409 | Sasowsky Earth Science  | 969.37  |
| 1410 | Gebhardt & Kiefer       | 363.00  |
| 1411 | Suburban Consulting     | 552.50  |
| 1412 | Bright View Engineering | 1000.00 |
| 1413 | Gebhardt & Kiefer       | 577.50  |

**Current Fund Manual**

|      |                 |           |
|------|-----------------|-----------|
| 2410 | Payroll Account | 27,746.99 |
| 2411 | Payroll Account | 17,993.80 |

**Dog Account**

|      |                    |       |
|------|--------------------|-------|
| 1198 | NJ Dept. of Health | 54.00 |
|------|--------------------|-------|

**Gravel Pit Escrows**

|     |                      |                     |
|-----|----------------------|---------------------|
| 246 | Colliers Engineering | 82.50 (for Hoffman) |
|-----|----------------------|---------------------|

**Capital Account**

|      |                      |           |
|------|----------------------|-----------|
| 1576 | Colliers Engineering | 11,998.75 |
|------|----------------------|-----------|

**Sewer Account**

|      |                      |           |
|------|----------------------|-----------|
| 1389 | Warren County PRMUA  | 77,610.75 |
| 1390 | Colliers Engineering | 247.50    |

**TOTAL ALL FUNDS.....\$824,919.10**

**ADJOURNMENT**

Being no further business to come before the Committee, the meeting was adjourned at 8:24 p.m. on motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote.

Respectfully Submitted,

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Kathleen R. Reinalda, RMC  
Township Clerk